

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

February 13, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

Request for Concurrence to Holdover Status over Lease of Federal Lands for
Public School Purposes, Kaneohe, Koolauloko, Oahu; Tax Map Key (1) 4-4-
009:007

Background:

On June 18, 1984, the State of Hawaii, by its Board of Land and Natural Resources signed a lease with the Department of the Navy (Navy) for a 14.235 acres parcel within the Marine Corps Base in Kaneohe for public school purposes. The 25-year lease, identified as Navy Lease No. N6274284RP00034, commenced on February 29, 1984 and expires on February 28, 2009. A map showing the location of the subject parcel is attached as Exhibit A.

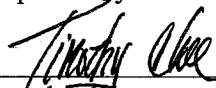
Around February 2007, the Department of Education (DOE) requested for a renewal or extension of the existing lease. Staff understands that the negotiation between the Navy and DOE has not been finalized. In view of the imminent expiration date of the lease, the Navy acknowledges the State as a holdover lessee under the said lease. A copy of the Navy's letter is attached as Exhibit B. Under the proposed action, there is no definite duration of the holdover, which relies on the progress of the ongoing negotiation between the parties. DOE has no objection to the subject request and staff recommends the Board concur to the holdover status under the said lease.

Recommendation:

That the Board concur the holdover status for the State under the Navy Lease No. N6274284RP00034, and further subject to the following:

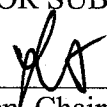
1. Review and approval by the Department of the Attorney General; and
2. Such other terms and conditions as prescribed by the Chairperson that best the interest of the State.

Respectfully Submitted,



Timothy Chee
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson

D-7

Dwg. No. 1524 Appr by: _____
 By: P.K. S. N.A. Revised by: _____
 Source Tax Maps Bureau, Survey Appr by: _____
Dept. of Ld. Cl. App. 677

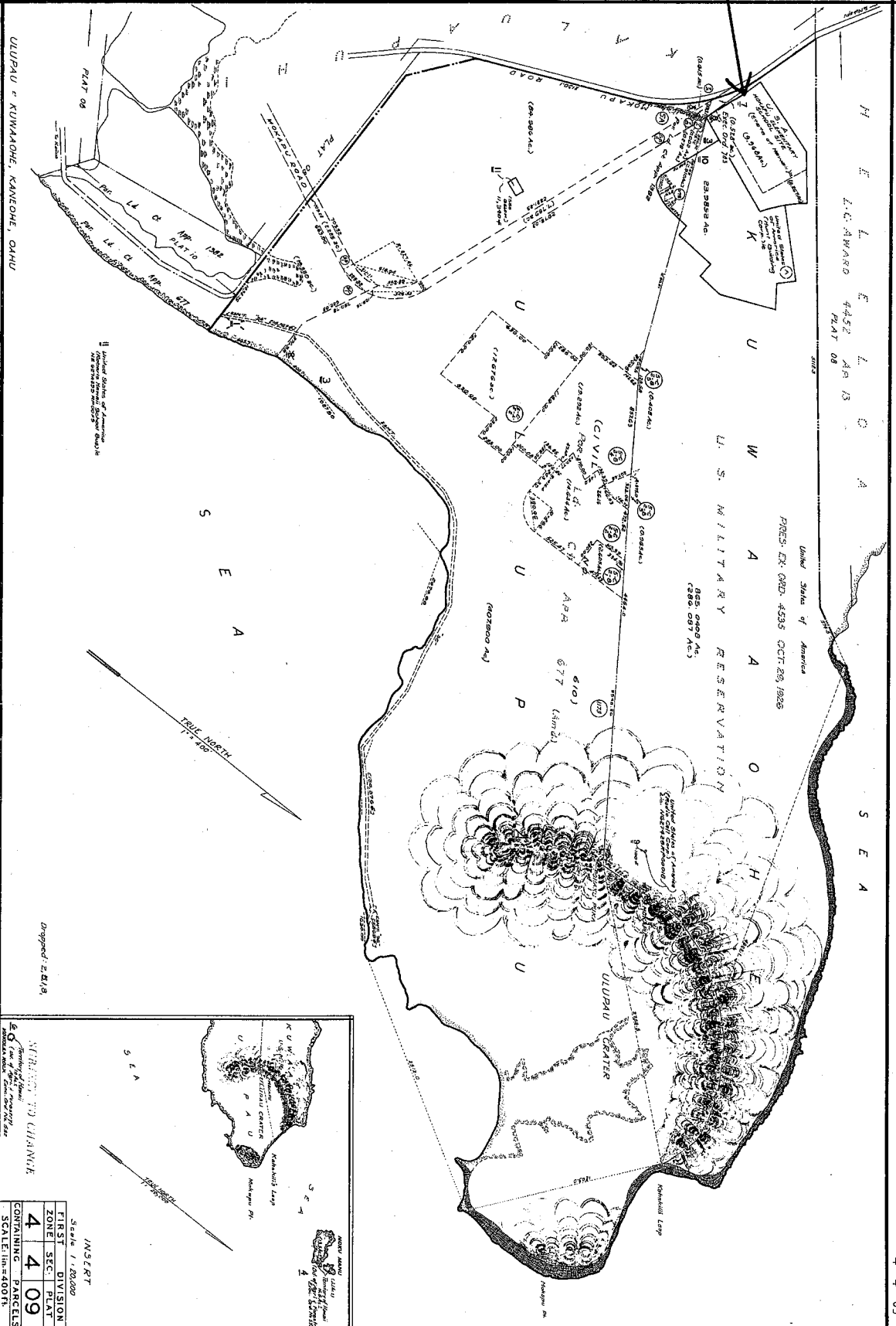


EXHIBIT "A"



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND, PACIFIC
258 MAKALAPA DR., STE. 100
PEARL HARBOR, HAWAII 96860-3134

RECEIVED
LAND DIVISION

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07 JAN 2009

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Mr. Morris Atta
Administrator
State of Hawaii
Department of Land and Natural Resources
Land Division
1151 Punchbowl Street, Room 220
Honolulu, HI 96813

Dear Mr. Atta:

SUBJECT: HOLDOVER STATUS FOR NAVY LEASE NO. N6274284RP00034 FOR
MOKAPU ELEMENTARY SCHOOL AT MARINE CORPS BASE HAWAII

The State of Hawaii, through the Department of Land and Natural Resources, leases approximately 14.235 acres of land and associated easements at Marine Corps Base Hawaii (MCBH) for use by Mokapu Elementary School. The current lease expires on February 28, 2009. Until a new lease is completed, we are acknowledging the State as a holdover lessee under the same terms and conditions as Navy Lease No. N6274284RP00034.

Please acknowledge the concurrence by the State of Hawaii to the described holdover status by having the signature block below executed by an authorized representative of the State. Please return this letter with the concurrence signature to the following address:

Department of the Navy
Naval Facilities Engineering Command, Hawaii
Attention: Code OPHAM1
400 Marshall Road, Building X-11
Pearl Harbor, HI 96860-3139

EXHIBIT "B"

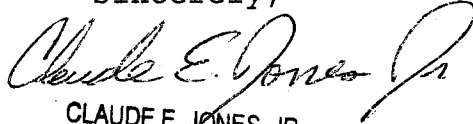
11011

Ser AM12/1010

07 JAN 2009

The point of contact for any questions regarding this matter is Ms. Kathryn Cooper at 471-1170, extension 246, or by email at kathryn.cooper@navy.mil.

Sincerely,



CLAUDE E. JONES, JR.
Head, Real Estate Support Branch
Naval Facilities Engineering Command, Pacific
Real Estate Contracting Officer

CONCURRENCE BY THE STATE OF HAWAII

BY: _____

TITLE: _____

DATE: _____